

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JAMES MICHAEL MURRAY,

Plaintiff,

v.

UNITED STATES OF AMERICA, and the
FEDERAL BUREAU OF PRISONS,

Defendants.

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Case No. 3:22-cv-01618-E-BT

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION OF
THE UNITED STATES MAGISTRATE JUDGE**

The Court has under consideration the Findings, Conclusions, and Recommendations of United States Magistrate Judge Rebecca Rutherford dated July 14, 2023. The Court has reviewed the Findings, Conclusions, and Recommendations for plain error. Finding none, the Court accepts the Findings, Conclusions, and Recommendations of the United States Magistrate Judge.

Accordingly, the Court **GRANTS** Defendants' Motion to Dismiss in Part (ECF No. 25), **DISMISSES** all of Plaintiff's claims against Defendant Federal Bureau of Prisons, and **DISMISSES** Plaintiff's Eighth Amendment claim against Defendant United States of America. Plaintiff's Federal Tort Claims Act claim against Defendant United States of America will proceed.

SO ORDERED: August 3, 2023.



Ada Brown

UNITED STATES DISTRICT JUDGE